

111TH CONGRESS
2D SESSION

H. R. 4797

To amend title 40, United States Code, to direct the Administrator of General Services to incorporate bird-safe building materials and design features into public buildings, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 9, 2010

Mr. QUIGLEY introduced the following bill; which was referred to the
Committee on Transportation and Infrastructure

A BILL

To amend title 40, United States Code, to direct the Administrator of General Services to incorporate bird-safe building materials and design features into public buildings, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Federal Bird-Safe
5 Buildings Act of 2010”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

1 (1) a multi-agency report issued in 2009, enti-
2 tled “The State of the Birds, United States of
3 America”, provides the most comprehensive assess-
4 ment to date on the status of bird populations;

5 (2) the multi-agency report concludes that near-
6 ly one-third of the Nation’s 800 bird species are en-
7 dangered, threatened, or in significant decline;

8 (3) death from collisions with man-made struc-
9 tures is one of the most serious sources of avian
10 mortality, and it is increasing;

11 (4) not only are birds beautiful and interesting
12 creatures that are eagerly welcomed by millions of
13 Americans into their backyards every year, but birds
14 also have an impact on the United States economy;

15 (5) the United States Fish and Wildlife Service
16 has reported that birdwatchers contribute \$36 billion
17 annually to the United States economy, and birds
18 naturally provide billions of dollars worth of pest
19 control, benefitting farmers and consumers alike;

20 (6) the U.S. Green Building Council has added
21 bird-friendly language to the Leadership in Energy
22 and Environmental Design (LEED) Reference
23 Guide, which will have the impact of recognizing
24 bird-friendly design in awarding LEED credits;

1 (7) bird-safe design features can be incor-
2 porated into new construction and major renovation
3 projects at no extra cost, and existing buildings may
4 be made bird-safe through the use of simple, low
5 cost adaptations;

6 (8) the General Services Administration is obli-
7 gated, under Executive Order 13186, to “support
8 the conservation intent of the migratory bird conven-
9 tions by integrating bird conservation principles,
10 measures, and practices into agency activities and by
11 avoiding or minimizing, to the extent practicable, ad-
12 verse impacts on migratory bird resources when con-
13 ducting agency actions”; and

14 (9) the General Services Administration has al-
15 ready constructed many award-winning, bird-friendly
16 buildings, including the San Francisco Federal
17 Building, the Suitland Census Complex, the United
18 States Courthouse in Eugene, Oregon, the Beltsville
19 ATF Laboratory Center, and the United States
20 Courthouse in Buffalo, New York.

21 **SEC. 3. USE OF BIRD-SAFE BUILDING MATERIALS AND DE-**
22 **SIGN FEATURES.**

23 (a) IN GENERAL.—Chapter 33 of title 40, United
24 States Code, is amended—

1 (1) by redesignating sections 3314, 3315, and
2 3316 as sections 3315, 3316, and 3317, respectively;
3 and

4 (2) by inserting after section 3313 the fol-
5 lowing:

6 **“§ 3314. Use of bird-safe building materials and de-**
7 **sign features**

8 “(a) CONSTRUCTION, ALTERATION, AND ACQUI-
9 TION OF PUBLIC BUILDINGS.—Each public building con-
10 structed, altered, or acquired by the Administrator of Gen-
11 eral Services shall incorporate, to the maximum extent
12 feasible as determined by the Administrator, bird-safe
13 building materials and design features.

14 “(b) EXISTING BUILDINGS AND LIGHTING.—The Ad-
15 ministrator, where practicable, shall—

16 “(1) incorporate bird-safe building materials
17 and design features into existing public buildings;
18 and

19 “(2) address interior and exterior lighting’s im-
20 pacts on native bird species.

21 “(c) BIRD-SAFE BUILDING MATERIALS DEFINED.—
22 In this section, the term ‘bird-safe building materials and
23 design features’ includes the materials and features rec-
24 ommended by—

1 “(1) the city of Chicago’s ‘Bird-Safe Building
2 Design Guide for New Construction and Renova-
3 tion’;

4 “(2) the city of Toronto’s ‘Bird-Friendly Devel-
5 opment Guidelines’; and

6 “(3) the American Bird Conservancy and New
7 York City Audubon’s ‘Bird-Safe Building Guide-
8 lines’.”.

9 (b) CLERICAL AMENDMENT.—The analysis for such
10 chapter is amended by striking the items relating to sec-
11 tions 3314, 3315, and 3316 and inserting the following:

“3314. Use of bird-safe building materials and design features.

“3315. Delegation.

“3316. Report to Congress.

“3317. Certain authority not affected.”.

